IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 1815 of 1998

Between:

1 B.Gopinad S/o Bhaskar Rao, R/o Chagallu, West Godavari District.
2 V.V.Narasimha Raju S/o Krishnamaraju
R/o Guravaygudem, West Godavari District.
3 M.Swarnalatha D/o M.Ravikumar, R/o Gunipudi, Bheemavarm,
West Godavari District.
4 M.G.M.Shariff S/o Md.Ismail Sharif, R/o Chagallu, West Godavari District.
5 P.Sangeeta Rao S/o Balaraju, R/o Polavaram, Papuji Colony,
West Godavari District.
6 P.Rudha Ratna Kumari D/o Raj Bhushanam, R/o Chinukapavaram,

Akkividu,West Godavari District.
7 Ch.Prakash Ravi S/o Musalayya, R/o Adamilli, Kamavarapukota,
W.G.District.
8 M.Kalyankumar S/o Kesava Rao, R/o Kovvur, West Godavari District.
9 P.Benarji S/o P.Venkataraju, R/o Polavarm, West Godavari District.
10 M.Narasimha Rao S/o N.Surya Rao, R/o Thogummi, West Godavari

District.
11 N.V.Satyanarayana S/o N.Subbarayudu, R/o Y.V.Lanka, Narsapur,
West Godavari District.
12 Katru Vijaya Achinna S/o K.Sreeramulu,R/o Thogummi, West Godavari

District.
13 Ganta Suresh Babu S/o Sampatha Rao, R/o Chinchinada, West Godavari

District.
14 A.P.P.Kumar S/o Bhagvan Raju, R/o Chinchinada, West Godavari District.
15 Sridhara Ramesh S/o Suryanarayanamurthy
R/o Pekeru, West Godavari District.
16 Somanchi Venkatapadma Satyasurya Narmani D/o Suryanarayana Murthy
R/o Pekeru, West Godavari District.
17 P.Srinivas S/o Raghavachary
R/o Chandravaram West Godavari District.

18 K.Siva Subrahmanyam S/o Sreeramulu
R/o Nutangudem West Godavari District.
19 B.Venkata Ramana S/o Venkateswarlu, R/o Dommeru, West Godavari

District.
20 Kolli Udayavalli W/o Kolli Vijayakumari
R/o Kovvur, West Godavari District.
21 Penumaka Raja Rani D/o Penumak Solomon,
R/o Kovvur, West Godavari District.
22 Kolli Mariyamma D/o K.Aravalu
R/o Kovvur, West Godavari District.
23 Kallem Vijayakumar S/o Anada Rao
R/o Marellamudi, West Godavari District.
24 Patsa Rama Gopal S/o Ganeswara rao
R/o Veerampalem, West Godavari District.
25 B.Hephri D/o B.Challa Rao, R/o L.R.Cheruvu, A.Vemavarm,
West Godavari District.
26 Ch.John Paul S/o B.Challa Rao, R/o L.R.Cheruvu, A.Vemavarm,
West Godavari District.
27 Boda Eleswara Rao S/o Buddiyya
R/o G.Kothapalli, West Godavari District.
28 Nalla Chakravarthu Rajya Lakshmi D/o N.C.V.S.Ayya nagar
R/o Kovvur, West Godavari District.
29 Kolli Uttara Kumar D/o M.Hareth Babu
R/o Tanuku, West Godavari District.
30 Vipparthi John Weslay Kumar S/o V.Joseph
R/o Chinamellipadu, West Godavari District.
31 Md.Zaheeruddin S/o Rahimuddin
R/o Bhimavaram, West Godavari District.
32 Y.Narasimha Murthy S/o Y.Yohan
R/o Bhimavaram, West Godavari District.
33 K.Vijaya Victoria Rani D/o P.Sunny
R/o Undi, West Godavari District.
34 Ch.Kanthamma D/o John Moses
R/o Undi, West Godavari District.
35 Godi Yesurathanm S/o Ch.Virginia
R/o Kaikalur, West Godavari District.
36 G.V.V.S.M.S.Rama Sarma S/o M.Gangadhara Rao
R/o Vijayawada, Krishna District.
37 Dundi Bala Venkata Ratnam D/o Alaraju
R/o Bittayagudem West Godavari District.
38 B.Dharmaiah S/o G.Simeon
R/o Narsapur, West Godavari District.
39 D.Yedu Kondalu S/o Premandandam
R/o Tallapudi, West Godavari District.
40 G.Vijaya Suseela D/o G.Srinivasa Rao
R/o Tadepalligudem, West Godavari District.
41 T.Bala Kumari D/o T.Machiraju
R/o Nallagerla, West Godavari District.
42 B.Sathemma D/o U.Venkateswara Rao
R/o Talapudi, West Godavari District.
43 A.Krishna Rao S/o Ranga Rao, R/o Chagallu, West Godavari District.
44 V.Y.K.Kumari D/o Balakrishnayya

R/o Kovvur, West Godavari District.
45 A.Vishnumurthy S/o Rangadasu
R/o Tirugudemeeta, West Godavari District.
46 Ch.Somyukata Rani D/o Somarjau, R/o Kovvur, West Godavari District.
47 V.V.Srinivas S/o V.Venkataratnam,R/o Kavulur, West Godavari District.
48 J.Bangara Raju S/o J.Somayya
R/o Annadevarapeta, West Godavari District.
49 B.Anantha Lakshmi W/o S.Narasimha Murthy
R/o Tirugudumetta, West Godavari District.
50 K.Vijaya Ratnam S/o Vijaya Avgustina
R/o Bromely Compound, Narsapur, West Godavari District.

... PETITIONERS

AND

1 Govenrment of Andhra Pradesh, Rep.by its Secretary, Education

Department, Secretriat Buildings, Hyderabad.
2 The Commissioner & Director of School Education,
Andhra Pradesh, Hyderabad.
3 The District Selection Committee, Rep by its Chairman and District

Collector,West Godavari at Eluru. West Godavari District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ Order or Direction more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents in not appointing the petitioners herein as Secondary Grade Basic Training Teachers in the existing vacancies in West Godavari District, as illegal, improper, unjust, contrary to the Division Bench Judgment dt.16-9-97 in W.P.No.7044/97 and batch reported in 1997(5) ALT page 482,besides being arbitrary, unjust, discriminatory and violative of Articles 14,16 and 21 of the Constitution of India and further declare sections 5,8,12,18 and 33 of A.P. Administrative Tribunals Act, as unconstitutional being violative of basic structure of Constitution of India and consequently direct the respondents to appoint the petitioners herein as Secondary Grade Basic Training Teachers and also declare the out-off date of 12-6-97 to arrive the vacancy position as arbitrary and unconstitutional

Counsel for the Petitioners: MR.P.GANGAIAH NAIDU

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

The Court made the following order:

ORDER:

The writ petition is filed by the petitioners seeking appointment as Secondary Grade Basic Training Teachers in the existing vacancies of West Godavari District and aggrieved by the action of the respondents in not implementing the judgment of this Court in WP.No.7044 of 1997 and batch dated 16.09.1997. Sections 5, 8, 12, 18 and 30 of the Administrative Tribunals Act are also questions.

The validity of the said sections was already upheld by a Division Bench of this Court and therefore, the petitioners cannot approach this Court directly seeking employment in Government service without first approaching the Andhra Pradesh Administrative Tribunal. However, the relief claimed by the petitioners in this writ petition has become infructuous.

Accordingly, the writ petition is dismissed as having become infructuous. No costs.

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V. ESWARAIAH, J

November 11, 2004

Dsk

To

1 The Secretary, Education Department, Govenrment of Andhra Pradesh,

Secretriat Buildings, Hyderabad.

2 The Commissioner & Director of School Education,
Andhra Pradesh, Hyderabad.

3 The Chairman and District Collector, District Selection Committee,

West Godavari at Eluru. West Godavari District.

4 Two CCs to GP For School Education, High Court Buildings, Hyderabad

(OUT)

5 Two CD Copies.